

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE: PORK ANTITRUST LITIGATION

Case No. 0:18-cv-01776-JRT-JFD

This Document Relates To:

ALL COMMERCIAL AND
INSTITUTIONAL INDIRECT
PURCHASER PLAINTIFFS ACTIONS

**DECLARATION OF PETER J.
SCHWINGLER IN OPPOSITION
TO THE COMMERCIAL AND
INSTITUTIONAL INDIRECT
PURCHASER PLAINTIFFS'
MOTION FOR CLASS
CERTIFICATION**

I, Peter J. Schwingler, declare pursuant to 28 U.S.C. § 1746 as follows:

1. I am a partner with the law firm of Stinson LLP and am a member in good standing of the bars of the State of Minnesota and the District of Minnesota. I am one of the attorneys representing Defendant Seaboard Foods LLC in this matter. I am familiar with the matters that follow, and I make this declaration based on my own knowledge.

2. Attached to my declaration as exhibits are true and correct copies of the following documents:

Exhibit 1: Cited excerpts from the transcript of the June 28, 2022 deposition of John Herbert, the Rule 30(b)(6) witness for The Distribution Group, Inc. d/b/a/ Van Eerden Foodservice Company (filed under seal).

Exhibit 2: Cited excerpts from the transcript of the May 19, 2022 deposition of Steve Sizemore, the Rule 30(b)(6) witness for Longhorn Steakhouse (filed under seal).

- Exhibit 3: Cited excerpts from the transcript of the June 3, 2022 deposition of Gregory Farah, the Rule 30(b)(6) witness for Farah's Courtyard Deli, Inc. (filed under seal).
- Exhibit 4: Cited excerpts from the transcript of the June 7, 2022 deposition of Brian Adams, the Rule 30(b)(6) witness for The Grady Corporation (filed under seal).
- Exhibit 5: Cited excerpts from the transcript of the June 7, 2022 deposition of Chris Beckler, the Rule 30(b)(6) witness for Edley's Restaurant Group, LLC (filed under seal).
- Exhibit 6: Cited excerpts from the transcript of the June 9, 2022 deposition of Thomas Lustgraaf, the Rule 30(b)(6) witness for Tri-Ten LLC (filed under seal).
- Exhibit 7: Van Eerden Deposition Exhibit 13, produced at DSTGROUP-0000019314 (filed under seal).
- Exhibit 8: Cited excerpts from the transcript of the June 21, 2022 deposition of Dr. Michael Williams (filed under seal).
- Exhibit 9: Cited excerpts from the transcript of the June 24, 2022 deposition of Dr. Hal Singer (filed under seal).
- Exhibit 10: Defendants' First Set of Interrogatories to the Commercial and Institutional Indirect Purchaser Plaintiffs dated January 26, 2021.

Exhibit 11: Commercial and Institutional Indirect Purchaser Plaintiffs’
Objections and Responses to Defendants’ First Set of
Interrogatories dated March 29, 2021.

I declare under penalty of perjury that the foregoing is true and correct. Executed on
August 24, 2022.

/s/ Peter J. Schwinger
Peter J. Schwinger